

**BEFORE THE
PHYSICIAN ASSISTANT BOARD
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation and
Petition to Revoke Probation Against:**)
)
)

SUDHA SHARMA, P.A.)

Case No. 1E-2013-234601

**Physician Assistant
License No. PA 12831**)
)
)

Respondent)
_____)

DECISION AND ORDER

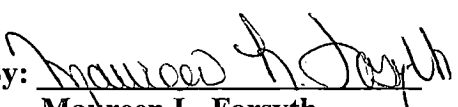
The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of Physician Assistant Board, Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on September 13, 2017.

IT IS SO ORDERED September 6, 2017.

PHYSICIAN ASSISTANT BOARD

By:


**Maureen L. Forsyth
Executive Officer**

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 MARA FAUST
Deputy Attorney General
4 State Bar No. 111729
1300 I Street, Suite 125
5 P.O. Box 944255
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7

8 *Attorneys for Complainant*

10 **BEFORE THE**
11 **PHYSICIAN ASSISTANT BOARD**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation/Petition to
14 Revoke Probation Against:

15 **SUDHA SHARMA, P.A.**
16 **1300 Buccaneer Court**
Modesto, California 95356

17 **Physician Assistant License No. PA 12831**

18 Respondent.

Case Nos. 1E-2013-234601

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 PARTIES

23 1. Maureen L. Forsyth (Complainant) is the Executive Officer of the Physician Assistant
24 Board (Board). She brought this action solely in her official capacity and is represented in this
25 matter by Xavier Becerra, Attorney General of the State of California, by Mara Faust, Deputy
26 Attorney General.

27 ///

28 ///

2. Sudha Sharma, P.A. (Respondent) is represented in this proceeding by attorney Rebecca B. Hoyes, Esq., whose address is 50 California Street, 34th Floor, San Francisco, CA 94111-4707.

3. On or about February 10, 1992, the Board issued Physician's Assistant License No. PA 12831 to Sudha Sharma, P.A. (Respondent). The Physician Assistant License No. was in full force and effect at all times relevant to the charges brought in Accusation/Petition to Revoke Probation No. 1E-2013-234601 and Accusation No. 950-2016-000814, and will expire on August 31, 2017, unless renewed.

JURISDICTION

4. On June 27, 2017, Accusation and Petition to Revoke Probation No. 1E-2013-234601 was filed before the Board, and on July 20, 2017, Accusation No. 950-2016-000814 was filed before the Board. Both cases are currently pending against Respondent. The Accusation and Petition to Revoke Probation No. 1E-2013-234601 and Accusation No. 950-2016-000814, and all other statutorily required documents were properly served on Respondent. Respondent timely filed her Notice of Defense contesting the Accusation and Petition to Revoke Probation 1E-2013-234601 and Accusation No. 950-2016-000814. A copy of Accusation and Petition to Revoke Probation No. 1E-2013-234601 is attached as Exhibit A and incorporated by reference. A copy of Accusation No. 950-2016-000814 is attached as Exhibit B and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in the Accusation and Petition to Revoke Probation No. 1E-2013-234601 and the Accusation No. 950-2016-000814. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation and Petition to Revoke Probation and Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the

1 attendance of witnesses and the production of documents; the right to reconsideration and court
2 review of an adverse decision; and all other rights accorded by the California Administrative
3 Procedure Act and other applicable laws.

4 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
5 every right set forth above.

6 CULPABILITY

7 8. Respondent understands that the charges and allegations in Accusation and Petition to
8 Revoke Probation No. 1E-2013-234601 and Accusation No. 950-2016-000814, if proven at a
9 hearing, constitute cause for imposing discipline upon her Physician Assistant License No. PA
10 12831.

11 9. For the purpose of resolving the Accusation/Petition to Revoke Probation without the
12 expense and uncertainty of further proceedings, Respondent agrees that, at a hearing,
13 Complainant could establish a factual basis for the charges in the Accusation/Petition to Revoke
14 Probation and that those charges constitute cause for discipline. Respondent hereby gives up her
15 right to contest that cause for discipline exists based on those charges.

16 10. Respondent understands that by signing this stipulation she enables the Board to issue
17 an order accepting the surrender of her Physician Assistant License No. without further process.

18 CONTINGENCY

19 11. This Stipulated Surrender of License and Disciplinary Order shall be subject to
20 approval by the Board. Respondent understands and agrees that counsel for Complainant and the
21 staff of the Board may communicate directly with the Board regarding this stipulation and
22 surrender, without notice to or participation by Respondent or her counsel. By signing the
23 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
24 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
25 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary
26 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
27 action between the parties, and the Board shall not be disqualified from further action by having
28 considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

ORDER

IT IS HEREBY ORDERED that Physician Assistant License No. No. PA 12831, issued to Respondent Sudha Sharma, P.A., is surrendered and accepted by the Physician Assistant Board.

1. The surrender of Respondent's Physician Assistant License No. PA 12831 and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Physician Assistant Board.

2. Respondent shall lose all rights and privileges as a Physician Assistant in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation and Petition to Revoke Probation No. 1E-2013-234601 and Accusation No. No. 950-2016-000814 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$4,009.50 prior to filing a petition for reinstatement of license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of

1 California, all of the charges and allegations contained in Accusation and Petition to Revoke
2 Probation, No. 1E-2013-234601 and Accusation No. 950-2016-000814 shall be deemed to be
3 true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other
4 proceeding seeking to deny or restrict licensure.

5 7. A license may not be re-issued or re-instated to respondent until and unless she passes
6 the Physician Assessment and Clinical Education (PACE) Program offered by the University of
7 California-San Diego School of Medicine. Complainant agrees that respondent can file a petition
8 the board for reinstatement of her Physician's Assistant License after two years from the
9 revocation of Physician Assistant License No. PA 12831 if respondent passes the Physician
10 Assessment and Clinical Education (PACE) Program.

11
12 ACCEPTANCE

13 I have carefully read the above Stipulated Surrender of License and Order and have fully
14 discussed it with my attorney, Rebecca B. Hoyes, Esq. I understand the stipulation and the effect
15 it will have on my Physician Assistant License No. PA 12831. I enter into this Stipulated
16 Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
17 to be bound by the Decision and Order of the Physician Assistant Board.

18
19 DATED:


8/11/17


SUDHA SHARMA, P.A.
Respondent

21 I have read and fully discussed with Respondent Sudha Sharma, P.A. the terms and
22 conditions and other matters contained in this Stipulated Surrender of License and Order. I
23 approve its form and content.

24
25 DATED:

8/15/2017


REBECCA B. HOYES, ESQ.
Attorney for Respondent

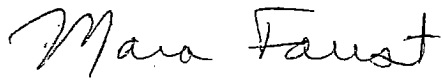
1 ENDORSEMENT

2 The foregoing Stipulated Surrender of License and Disciplinary Order is hereby
3 respectfully submitted for consideration by the Physician Assistant Board of the Department of
4 Consumer Affairs.

5 Dated: 8/21/17

Respectfully submitted,

6 XAVIER BECERRA
7 Attorney General of California
8 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

9 

10 MARA FAUST
11 Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation/Petition to Revoke Probation No. 1E-2013-234601

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO June 27 20 17
BY Robyn Fitzwater ANALYST

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
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3 MARA FAUST
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7 Facsimile: (916) 327-2247

8 *Attorneys for Complainant*

9
10 BEFORE THE
PHYSICIAN ASSISTANT BOARD
DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation and Petition to
Revoke Probation Against,

13
14 SUDHA SHARMA, P.A.
1300 Buccaneer Court
Modesto, CA 95356

15 Physician Assistant License No. PA 12831

16
17 Respondent.

Case No. 1E-2013-234601

OAH No.

ACCUSATION AND PETITION TO
REVOKE PROBATION

18 Complainant alleges:

19 PARTIES

20 1. Maureen L. Forsyth (Complainant) brings this Accusation and Petition to Revoke
21 Probation solely in her official capacity as the Executive Officer of the Physician Assistant Board,
22 Department of Consumer Affairs.

23 2. On or about February 10, 1992, the Physician Assistant Board issued Physician
24 Assistant License No. PA 12831 to Sudha Sharma P.A. (Respondent). The license expires on
25 August 31, 2017. A cease practice order has been in effect since June 14, 2017.

26 3. In a disciplinary action entitled "In the Matter of the Amended Accusation Against
27 Sudha Sharma P.A.," Case No. 1E-2013-234601, the Physician Assistant Board, issued a
28 decision, effective May 20, 2016, in which Respondent's Physician Assistant License was

1 revoked. However, the revocation was stayed and Respondent's Physician Assistant License was
2 placed on probation for a period of five (5) years with certain terms and conditions. A copy of
3 that decision is attached as Exhibit A and is incorporated by reference.

4 JURISDICTION

5 4. This Accusation and Petition to Revoke Probation is brought before the Physician
6 Assistant Board (Board), Department of Consumer Affairs, under the authority of the following
7 laws. All section references are to the Business and Professions Code (Code) unless otherwise
8 indicated.

9 5. Section 3527 of the Code states:

10 "(a) The board may order the denial of an application for, or the issuance subject to terms
11 and conditions of, or the suspension or revocation of, or the imposition of probationary conditions
12 upon a physician assistant license after a hearing as required in Section 3528 for unprofessional
13 conduct which includes, but is not limited to, a violation of this chapter, a violation of the
14 Medical Practice Act, or a violation of the regulations adopted by the board or the Medical Board
15 of California.

16 "(b) The board may order the denial of an application for, or the suspension or revocation
17 of, or the imposition of probationary conditions upon, an approved program after a hearing as
18 required in Section 3528 for a violation of this chapter or the regulations adopted pursuant
19 thereto.

20 "(c) The Medical Board of California may order the denial of an application for, or the
21 issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition
22 of probationary conditions upon, an approval to supervise a physician assistant, after a hearing as
23 required in Section 3528, for unprofessional conduct, which includes, but is not limited to, a
24 violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations
25 adopted by the board or the Medical Board of California.

26 "(d) Notwithstanding subdivision (c), the Division of Medical Quality of the Medical
27 Board of California, in conjunction with an action it has commenced against a physician and
28 surgeon, may, in its own discretion and without the concurrence of the Medical Board of

1 California, order the suspension or revocation of, or the imposition of probationary conditions
2 upon, an approval to supervise a physician assistant, after a hearing as required in Section 3528,
3 for unprofessional conduct, which includes, but is not limited to, a violation of this chapter, a
4 violation of the Medical Practice Act, or a violation of the regulations adopted by the board or the
5 Medical Board of California.

6 "..."

7 "(f) The board may order the licensee to pay the costs of monitoring the probationary
8 conditions imposed on the license.

9 "(g) The expiration, cancellation, forfeiture, or suspension of a physician assistant license
10 by operation of law or by order or decision of the board or a court of law, the placement of a
11 license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive
12 the board of jurisdiction to commence or proceed with any investigation of, or action or
13 disciplinary proceeding against, the licensee or to render a decision suspending or revoking the
14 license."

15 6. Section 2227 of the Code provides that a licensee who is found guilty under the
16 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
17 one year, placed on probation and required to pay the costs of probation monitoring, or such other
18 action taken in relation to discipline as the Division deems proper.

19 7. Section 2234 of the Code states, in pertinent part:

20 "The board shall take action against any licensee who is charged with unprofessional
21 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
22 limited to, the following:

23 "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
24 violation of, or conspiring to violate any provision of this chapter.

25 "(d) Incompetence.

26 COST RECOVERY

27 8. Section 125.3 of the Code states, in pertinent part, that the Board may request the
28 administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

CAUSE FOR DISCIPLINE

(Failure to Pass the Clinical Training Program/PACE- Incompetence)

3
4 9. Respondent is subject to disciplinary action under sections 3527, 2234 and 2234(d),
5 of the Code, in that she was found to be incompetent in that she failed to pass the Physician
6 Assistant Assessment Program (hereinafter PACE¹ Program). The circumstances are as follows:

7 10. On or about February 6 through 10, 2017, respondent participated in a physician
8 assistant assessment, and on May 15, 2017, she participated in a chart stimulated recall as part of
9 her assessment. In a report from PACE authored on June 5, 2017, the PACE reviewers
10 collectively gave respondent a failing grade. Respondent's performance was unsatisfactory both
11 in her medical interviewing skills, and in her oral examination in family medicine. In her
12 performance of the chart stimulation recall, respondent also received a failing score, in that she
13 needed significant improvement in her record keeping, as well as improvement in her medical
14 knowledge and clinical decision-making abilities. Respondent had a range of unsatisfactory to
15 satisfactory scores in her chart review notes. For example, in three of the seven charts, some of
16 her writing was illegible, and there were insufficient details in the history and physical sections.
17 The PACE family medicine faculty found respondent's medical knowledge to range from
18 unsatisfactory to satisfactory. Some reviewers found respondent was not up-to-date on current
19 guidelines and was unable to come up with sufficiently comprehensive differential diagnoses,
20 while other reviewers found respondent demonstrated adequate knowledge for her level of
21 training. However, the overall assessment from PACE reviewers was a Category 4 failure which
22 signifies a poor performance that is not compatible with overall physician assistant competency
23 and safe practice.²

CAUSE TO REVOKE PROBATION

(Failure to Successfully Pass the Clinical Training Program/PACE)

24
25 11. Paragraph 10 is repeated here as fully set forth above.

26 ¹ PACE actually stands for Physician Assessment and Clinical Education, of which a related program
27 assesses physician assistants.

28 ² Additionally, PACE staff have recommended that respondent undergo a neuropsychological-fitness for
duty evaluation by a Board approved neuropsychologist and to date respondent has not fulfilled this requirement.

1 12. At all times after the effective date of Respondent's probation, Condition 3 stated:

2 "CLINICAL TRAINING PROGRAM Within 60 days of the effective date of this
3 decision, respondent shall submit to the Board or its designee for prior approval, a clinical
4 training or educational program such as the Physician Assessment and Clinical Education
5 Program (PACE) offered by the University of California – San Diego School of Medicine or
6 equivalent program as approved by the Board or its designee. The exact number of hours and
7 specific content of the program shall be determined by the Board or its designee. The program
8 shall determine whether respondent has successfully completed and passed the program.

9 "Respondent shall pay the cost of the program.

10 "If the program makes recommendations for the scope and length of any additional
11 educational or clinical training, treatment for any medical or psychological condition, or anything
12 else affecting respondent's practice as a physician assistant, respondent shall comply with the
13 program recommendations and pay all associated costs.

14 "Respondent shall successfully complete and pass the program not later than six months
15 after respondent's initial enrollment. The program determines whether or not the respondent
16 successfully completes the program.

17 "If respondent fails to either (1) complete the program within the designated time period,
18 or (2) to pass the program as determined by the program, respondent shall cease practicing as a
19 physician assistant immediately after being notified by the Board or its designee."

20 13. At all times after the effective date of Respondent's probation, Condition 17
21 stated:

22 "VIOLATION OF PROBATION If respondent violates probation in any respect, the
23 Board, after giving respondent notice and the opportunity to be heard, may revoke probation and
24 carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is
25 filed against respondent during probation, the Board shall have continuing jurisdiction until the
26 matter is final, and the period of probation shall be extended until the matter is final."

27 14. Respondent's probation is subject to revocation because she failed to comply with
28 Probation Conditions 3 and 17. The facts and circumstances regarding this violation are that

1 respondent failed to complete the PACE physician assistant assessment successfully and as such
2 is in violation of her probation.

3 **DISCIPLINE CONSIDERATIONS**

4 15. To determine the degree of discipline, if any, to be imposed on Respondent,
5 Complainant alleges that on or about May 20, 2016, in a prior disciplinary action entitled, "In the
6 Matter of the Amended Accusation Against Sudha Sharma P.A. before the Physician Assistant
7 Board," in Case No. 1E-2013-234601, Respondent's Physician Assistant license was revoked.
8 However, the revocation was stayed and Respondent's Physician Assistant License was placed on
9 probation for a period of five (5) years with certain terms and conditions That decision is now
10 final and is incorporated by reference as if fully set forth.

11 16. Complainant further alleges that on or about December 21, 2011, in a prior
12 disciplinary action entitled, "In the Matter of the Accusation and Petition to Revoke Probation
13 Against Sudha Sharma P.A. before the Physician Assistant Board," in Case No. D1-2004-160622,
14 Respondent's Physician Assistant license was revoked. However, the revocation was stayed and
15 Respondent's Physician Assistant License was placed on probation for a period of two (2)
16 additional years with certain terms and conditions. That decision is now final and is incorporated
17 by reference as if fully set forth. Complainant further alleges that on or about December 4, 2006,
18 in a prior disciplinary action entitled, "In the Matter of the Accusation Against Sudha Sharma
19 P.A. before the Physician Assistant Board," in Case No. 1E-2004-160622, Respondent's
20 Physician Assistant license was revoked. However, the revocation was stayed and Respondent's
21 Physician Assistant License was placed on probation for a period of five (5) years with certain
22 terms and conditions. That decision is now final and is incorporated by reference as if fully set
23 forth.

24 ///

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Physician Assistant Board issue a decision:


1. Revoking the probation that was granted by the Physician Assistant Board in Case No. 1E-2013-234601 and imposing the disciplinary order that was stayed thereby revoking Physician Assistant License No. PA 12831 issued to respondent Sudha Sharma P.A.;

2. Revoking or suspending Physician Assistant License No. PA 12831, issued to respondent Sudha Sharma P.A.;

3. Ordering respondent Sudha Sharma, P.A. to pay the Physician Assistant Board the reasonable costs of investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;

4. Taking such other and further action as deemed necessary and proper.

DATED: June 27, 2017


MAUREEN L. FORSYTH
Executive Officer
Physician Assistant Board
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

Decision and Order

Physician Assistant Board Case No. 1E-2013-234601

BEFORE THE
PHYSICIAN ASSISTANT BOARD
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Amended
Accusation Against:

SUDHA SHARMA, P.A.

Case No. 1E-2013-234601

Physician Assistant
License No. PA 12831

Respondent

DECISION AND ORDER

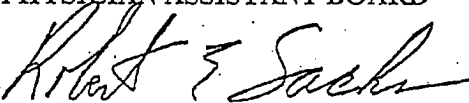
The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Physician Assistant Board, Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 20, 2016.

IT IS SO ORDERED April 22, 2016.

PHYSICIAN ASSISTANT BOARD

By:



Robert E. Sachs, P.A., President

1 KAMALA D. HARRIS
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 MARA FAUST
Deputy Attorney General
4 State Bar No. 111729
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5358
Facsimile: (916) 327-2247
7 *Attorneys for Complainant*

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BEFORE THE
PHYSICIAN ASSISTANT BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Amended Accusation
12 Against:

13 SUDHA SHARMA, P.A.
1300 Buccaneer Court
Modesto, California 95356

14 Physician Assistant License No. PA 12831

15 Respondent.

Case No. 1E-2013-234601

OAH No. 2015070636

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Glenn L. Mitchell, Jr. ("Complainant") is the Executive Officer of the Physician
22 Assistant Board. He brought this action solely in his official capacity and is represented in this
23 matter by Kamala D. Harris, Attorney General of the State of California, by Mara Faust, Deputy
24 Attorney General.

25 2. Respondent Sudha Sharma, P.A. ("Respondent") is represented in this proceeding by
26 attorney Mitchell Green, whose address is: 50 California Street, 34th Floor, San Francisco, CA
27 94111-4707.

28 ///

3. On or about February 10, 1992, the Physician Assistant Board issued Physician Assistant License No. PA 12831 to Sudha Sharma, P.A. (Respondent). The Physician Assistant License was in full force and effect at all times relevant to the charges brought in Accusation No. 1E-2013-234601 and will expire on August 31, 2017, unless renewed.

4. On or about August 25, 2006, an Accusation was filed against Respondent. On December 4, 2006, a Decision became effective to place Respondent's license on five (5) years of probation with terms and conditions. On or about August 6, 2010, an Accusation and Petition to Revoke Probation was filed against Respondent. On or about December 21, 2011, a Decision became effective placing Respondent's license on an additional two (2) years of probation for a total of seven (7) years.

JURISDICTION

5. Accusation No. 1E-2013-234601 was filed before the Physician Assistant Board (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on May 29, 2015. Respondent timely filed her Notice of Defense contesting the Accusation. Amended Accusation No. 1E-2013-23601 and all other statutorily required documents were properly served on Respondent on September 9, 2015. Respondent timely filed her Notice of Defense contesting the Amended Accusation.

6. A copy of Amended Accusation No. 1E-2013-234601 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

7. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Amended Accusation No. 1E-2013-234601. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

8. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Amended Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the

1 right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
2 compel the attendance of witnesses and the production of documents; the right to reconsideration
3 and court review of an adverse decision; and all other rights accorded by the California
4 Administrative Procedure Act and other applicable laws.

5 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
6 every right set forth above.

7 CULPABILITY

8 10. Respondent understands and agrees that the charges and allegations in Amended
9 Accusation No. 1E-2013-234601, if proven at a hearing, constitute cause for imposing discipline
10 upon her Physician Assistant License.

11 11. For the purpose of resolving the Amended Accusation without the expense and
12 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could
13 establish a factual basis for the charges in the Amended Accusation, and that Respondent hereby
14 gives up her right to contest those charges.

15 12. Respondent agrees that if she ever petitions for early termination or modification of
16 probation, or if an accusation and/or petition to revoke probation is filed against him before the
17 Board, all of the charges and allegations contained in Amended Accusation No. 1E-2013-234601
18 shall be deemed true, correct and fully admitted by Respondent for purposes of any such
19 proceedings or any other licensing proceeding involving Respondent in the State of California.

20 13. Respondent agrees that her Physician Assistant License is subject to discipline and she
21 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

22 14. This stipulation shall be subject to approval by the Physician Assistant Board.
23 Respondent understands and agrees that counsel for Complainant and the staff of the Physician
24 Assistant Board may communicate directly with the Board regarding this stipulation and
25 settlement, without notice to or participation by Respondent or her counsel. By signing the
26 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
27 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
28 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary

1 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
2 action between the parties, and the Board shall not be disqualified from further action by having
3 considered this matter.

4 15. The parties understand and agree that Portable Document Format (PDF) and facsimile
5 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
6 signatures thereto, shall have the same force and effect as the originals.

7 16. In consideration of the foregoing admissions and stipulations, the parties agree that the
8 Board may, without further notice or formal proceeding, issue and enter the following Disciplinary
9 Order:

10 **DISCIPLINARY ORDER**

11 IT IS HEREBY ORDERED that Physician Assistant License No. PA 12831 issued to
12 Respondent Sudha Sharma, P.A. is revoked. However, the revocation is stayed and Respondent is
13 placed on probation for five (5) years on the following terms and conditions.

14 1. **MEDICAL RECORD KEEPING COURSE** Within 60 calendar days of the effective
15 date of this decision, respondent shall enroll in a course in medical record keeping approved in
16 advance by the committee or its designee. The course shall be Category I certified, limited to
17 classroom, conference, or seminar settings. Respondent shall successfully complete the course
18 within the first 6 months of probation.

19 Respondent shall pay the costs of the course.

20 Respondent shall submit a certification of successful completion of the committee or its
21 designee within 15 days after completing the course.

22 2. **EDUCATION COURSE** Within 60 days of the effective date of the decision,
23 respondent shall submit to the Board or its designee for its prior approval an educational program
24 or course from an accredited program which shall not be less than 10 hours of Category 1 CME.
25 The education course shall be aimed at correcting any areas of deficient practice or knowledge.
26 The course shall be Category I certified, limited to classroom, conference, or seminar settings.
27 Respondent shall successfully complete the course within the first year of probation.

28 Respondent shall pay the cost of the course.

1 Respondent shall submit a certification of successful completion to the Board or its designee
2 within 15 days after completing the course.

3 3. CLINICAL TRAINING PROGRAM Within 60 days of the effective date of this
4 decision, respondent shall submit to the Board or its designee for prior approval, a clinical training
5 or educational program such as the Physician Assessment and Clinical Education Program (PACE)
6 offered by the University of California – San Diego School of Medicine or equivalent program as
7 approved by the Board or its designee. The exact number of hours and specific content of the
8 program shall be determined by the Board or its designee. The program shall determine whether
9 respondent has successfully completed and passed the program.

10 Respondent shall pay the cost of the program.

11 If the program makes recommendations for the scope and length of any additional
12 educational or clinical training, treatment for any medical or psychological condition, or anything
13 else affecting respondent's practice as a physician assistant, respondent shall comply with the
14 program recommendations and pay all associated costs.

15 Respondent shall successfully complete and pass the program not later than six months after
16 respondent's initial enrollment. The program determines whether or not the respondent
17 successfully completes the program.

18 If respondent fails to either (1) complete the program within the designated time period, or
19 (2) to pass the program as determined by the program, respondent shall cease practicing as a
20 physician assistant immediately after being notified by the Board or its designee.

21 4. MAINTENANCE OF PATIENT MEDICAL RECORDS

22 Respondent shall keep written medical records for each patient contact (including all visits
23 and phone calls).

24 Fifty percent (50%) of all medical records originated by the respondent shall be reviewed,
25 initialed, and dated weekly by a supervising physician, provided however, that after three years of
26 compliance, the percentage shall be reduced to thirty-five (35%) of all medical records originated
27 by the respondent.
28

1 5. ON-SITE SUPERVISION

2 A supervising physician shall be on site at least 50% of the time respondent is practicing.

3 6. APPROVAL OF SUPERVISING PHYSICIAN Within 30 days of the effective date

4 of this decision, respondent shall submit to the Board or its designee for its prior approval the
5 name and license number of the supervising physician and a practice plan detailing the nature and
6 frequency of supervision to be provided. Respondent shall not practice until the supervising
7 physician and practice plan are approved by the Board or its designee.

8 Respondent shall have the supervising physician submit quarterly reports to the Board or its
9 designee.

10 If the supervising physician resigns or is no longer available, respondent shall, within 15
11 days, submit the name and license number of a new supervising physician for approval.

12 7. NOTIFICATION OF EMPLOYER AND SUPERVISING PHYSICIAN Respondent

13 shall notify his/her current and any subsequent employer and supervising physician(s) of the
14 discipline and provide a copy of the Accusation, Decision, and Order to each employer and
15 supervising physician(s) during his/her period of probation, at the onset of that employment.
16 Respondent shall ensure that each employer informs the Board or its designee, in writing within
17 thirty days, verifying that the employer and supervising physician(s) have received a copy of the
18 Accusation, Decision, and Order.

19 8. OBEY ALL LAWS Respondent shall obey all federal, state, and local laws, and all

20 rules governing the practice of medicine as a physician assistant in California, and remain in full
21 compliance with any court ordered criminal probation, payments, and other orders

22 9. QUARTERLY REPORTS Respondent shall submit quarterly declarations under

23 penalty of perjury on forms provided by the Board or its designee, stating whether there has been
24 compliance with all the conditions of probation.

25 10. OTHER PROBATION REQUIREMENTS Respondent shall comply with the

26 Board's probation unit. Respondent shall, at all times, keep the Board and probation unit informed
27 of respondent's business and residence addresses. Changes of such addresses shall be immediately
28 communicated in writing to the Board and probation unit. Under no circumstances shall a post

1 office box serve as an address of record, except as allowed by California Code of Regulations
2 1399.523.

3 Respondent shall appear in person for an initial probation interview with committee or its
4 designee within 90 days of the decision. Respondent shall attend the initial interview at a time and
5 place determined by the Board or its designee.

6 Respondent shall, at all times, maintain a current and renewed physician assistant license.

7 Respondent shall also immediately inform the probation unit, in writing, of any travel to any
8 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
9 (30) days.

10 11. INTERVIEW WITH MEDICAL CONSULTANT Respondent shall appear in person
11 for interviews with the Board's medical or expert physician assistant consultant upon request at
12 various intervals and with reasonable notice.

13 12. TOLLING FOR OUT-OF-STATE PRACTICE OR RESIDENCE The period of
14 probation shall not run during the time respondent is residing or practicing outside the jurisdiction
15 of California. If, during probation, respondent moves out of the jurisdiction of California to reside
16 or practice elsewhere, including federal facilities, respondent is required to immediately notify the
17 Board in writing of the date of departure and the date of return, if any.

18 Respondent's license shall be automatically canceled if respondent's period of temporary or
19 permanent residence or practice outside California totals two years. Respondent's license shall not
20 be canceled as long as respondent is residing and practicing as a physician assistant in another
21 state of the United States and is on active probation with the physician assistant licensing authority
22 of that state, in which case the two year period shall begin on the date probation is completed or
23 terminated in that state.

24 13. FAILURE TO PRACTICE AS A PHYSICIAN ASSISTANT - CALIFORNIA
25 RESIDENT In the event respondent resides in California and for any reason respondent stops
26 practicing as a physician assistant in California, respondent shall notify the Board or its designee
27 in writing within 30 calendar days prior to the dates of non-practice and return to practice. Any
28 period of non-practice within California, as defined in this condition, will not apply to the

1 reduction of the probationary term and does not relieve respondent of the responsibility to comply
2 with the terms and conditions of probation. Non-practice is defined as any period of time
3 exceeding 30 calendar days in which respondent is not practicing as a physician assistant.

4 All time spent in a clinical training program that has been approved by the Board or its
5 designee, shall be considered time spent in the practice of medicine. For purposes of this
6 condition, non-practice due to a Board ordered suspension or in compliance with any other
7 condition or probation, shall not be considered a period of non-practice.

8 Respondent's license shall be automatically canceled if, for a total of two years, respondent
9 resides in California and fails to practice as a physician assistant.

10 14. UNANNOUNCED CLINICAL SITE VISIT The Board or its designee may make
11 unannounced clinical site visits at any time to ensure that respondent is complying with all terms
12 and conditions of probation.

13 15. CONDITION FULFILLMENT A course, evaluation, or treatment completed after
14 the acts that gave rise to the charges in the accusation, but prior to the effective date of the decision
15 may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of the
16 condition.

17 16. COMPLETION OF PROBATION Respondent shall comply with all financial
18 obligations (e.g., cost recovery, probation costs) no later than 60 calendar days prior to the
19 completion of probation. Upon successful completion of probation, respondent's license will be
20 fully restored.

21 17. VIOLATION OF PROBATION If respondent violates probation in any respect,
22 the Board, after giving respondent notice and the opportunity to be heard, may revoke probation
23 and carry out the disciplinary order that was stayed. If an accusation or petition to revoke
24 probation is filed against respondent during probation, the Board shall have continuing jurisdiction
25 until the matter is final, and the period of probation shall be extended until the matter is final.

26 18. COST RECOVERY The respondent is hereby ordered to reimburse the Physician
27 Assistant Board the amount of \$4,533.00 within 90 days from the effective date of this decision for
28 its investigative costs. Failure to reimburse the Board's costs for its investigation shall constitute a

1 violation of the probation order, unless the Board agrees in writing to payment by an installment
2 plan because of financial hardship. The filing of bankruptcy by the respondent shall not relieve
3 the respondent of his/her responsibility to reimburse the Board for its investigative costs.

4 17. PROBATION MONITORING COSTS Respondent shall pay the costs associated
5 with probation monitoring each and every year of probation, as designated by the Board, which
6 may be adjusted on an annual basis. The costs shall be made payable to the Physician Assistant
7 Board and delivered to the Board no later than January 31 of each calendar year.

8 18. VOLUNTARY LICENSE SURRENDER Following the effective date of this
9 probation, if respondent ceases practicing due to retirement, health reasons, or is otherwise unable
10 to satisfy the terms and conditions of probation, respondent may request the voluntarily surrender
11 of respondent's license to the Board. The Board reserves the right to evaluate the respondent's
12 request and to exercise its discretion whether to grant the request, or to take any other action
13 deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the
14 surrender, respondent shall within 15 days deliver respondent's wallet and wall certificate to the
15 Board or its designee and shall no longer practice as a physician assistant. Respondent will no
16 longer be subject to the terms and conditions of probation and the surrender of respondent's
17 license shall be deemed disciplinary action. If respondent re-applies for a physician assistant
18 license, the application shall be treated as a petition for reinstatement of a revoked license.

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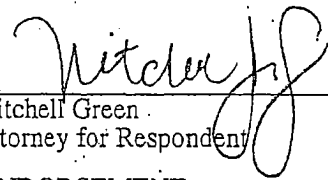
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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Mitchell Green. I understand the stipulation and the effect it will have on my Physician Assistant License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physician Assistant Board.

DATED: 3/4/16 
SUDHA SHARMA, P.A.
Respondent

I have read and fully discussed with Respondent Sudha Sharma, P.A. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 3/4/16 
Mitchell Green
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Physician Assistant Board.

Dated: March 4, 2016

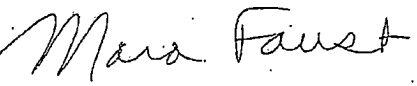
Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JOSE R. GUERRERO
Supervising Deputy Attorney General

MARA FAUST
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Amended Accusation No. 1E-2013-234601

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2 JOSE R. GUERRERO
Supervising Deputy Attorney General
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Deputy Attorney General
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7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO September 9 20 15
BY K. Voong ANALYST

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BEFORE THE
PHYSICIAN ASSISTANT BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Amended Accusation Against:

Case No. 1E-2013-234601

12 SUDHA SHARMA, P.A.
1300 Buccaneer Court
13 Modesto, California 95356

OAH No. 2015070636

AMENDED ACCUSATION

Physician Assistant License No. PA 12831

Respondent.

Complainant alleges:

PARTIES

1. Glenn L. Mitchell, Jr. (Complainant) brings this Amended Accusation solely in his official capacity as the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs.

2. On or about February 10, 1992, the Physician Assistant Board issued Physician Assistant License Number PA 12831 to Sudha Sharma, P.A. (Respondent). The Physician Assistant License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2017, unless renewed.

3. On or about August 25, 2006, an Accusation was filed against Respondent. On December 4, 2006, a Decision became effective to place Respondent's license on five (5) years of probation with terms and conditions. On or about August 6, 2010, an Accusation and Petition to

1 Revoke Probation was filed against Respondent. On or about December 21, 2011, a Decision
2 became effective placing Respondent's license on an additional two (2) years of probation for a
3 total of seven (7) years.

4 JURISDICTION

5 4. This Amended Accusation is brought before the Physician Assistant Board (Board),
6 Department of Consumer Affairs, under the authority of the following laws. All section
7 references are to the Business and Professions Code unless otherwise indicated.

8 5. Section 125.3 of the Code states, in pertinent part, that the Board may request the
9 administrative law judge to direct a licensee found to have committed a violation or violations of
10 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
11 enforcement of the case.

12 6. Section 3527 of the Code states:

13 "(a) The board may order the denial of an application for, or the issuance subject to terms
14 and conditions of, or the suspension or revocation of, or the imposition of probationary conditions
15 upon a physician assistant license after a hearing as required in Section 3528 for unprofessional
16 conduct which includes, but is not limited to, a violation of this chapter, a violation of the
17 Medical Practice Act, or a violation of the regulations adopted by the board.

18 "..."

19 "(d) Notwithstanding subdivision (c), the Division of Medical Quality¹ of the Medical
20 Board of California, in conjunction with an action it has commenced against a physician and
21 surgeon, may, in its own discretion and without the concurrence of the board, order the
22 suspension or revocation of, or the imposition of probationary conditions upon, an approval to
23 supervise a physician assistant, after a hearing as required in Section 3528, for unprofessional
24

25
26 ¹ California Business and Professions Code section 2002, as amended and effective January 1, 2008,
27 provides that, unless otherwise expressly provided, the term "Board" as used in the State Medical practice Act (Bus.
28 & Prof. Code section 2000, et seq.) means the "Medical Board of California," and references to the "Division of
Medical Quality" and "Division of Licensing" in the Act or any other provision of law shall be deemed to refer to the
Board.

1 conduct, which includes, but is not limited to, a violation of this chapter, a violation of the
2 Medical Practice Act, or a violation of the regulations adopted by the committee or the board.

3 "..."

4 7. Section 3528 of the Code states any proceedings involving the denial, suspension or
5 revocation of the application for licensure or the license of a physician assistant, the application
6 for approval or the approval of a supervising physician, or the application for approval or the
7 approval of an approved program under this chapter shall be conducted in accordance with
8 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government
9 Code.

10 8. California Code of Regulations, title 16, section 1399.521 states:

11 "In addition to the grounds set forth in section 3527; subdivision (a), of the Code, the
12 [board] may deny, issue subject to terms and conditions, suspend, revoke or place on probation a
13 physician assistant for the following causes: (a) Any violation of the State Medical Practice Act
14 which would constitute unprofessional conduct for a physician and surgeon. (b) Using fraud or
15 deception in passing an examination administered or approved by the committee. (c) Practicing as
16 a physician assistant under a physician who has been prohibited by the division or the Osteopathic
17 Medical Board of California from supervising physician assistants. (d) Performing medical tasks
18 which exceed the scope of practice of a physician assistant as prescribed in these regulations."

19 9. Section 2234 of the Code, states:

20 "The board shall take action against any licensee who is charged with unprofessional
21 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
22 limited to, the following:

23 "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
24 violation of, or conspiring to violate any provision of this chapter.

25 "(b) Gross negligence.

26 "(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
27 omissions. An initial negligent act or omission followed by a separate and distinct departure from
28 the applicable standard of care shall constitute repeated negligent acts.

1 "(1) An initial negligent diagnosis followed by an act or omission medically appropriate
2 for that negligent diagnosis of the patient shall constitute a single negligent act.

3 "(2) When the standard of care requires a change in the diagnosis, act, or omission that
4 constitutes the negligent act described in paragraph (1), including, but not limited to, a
5 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the
6 applicable standard of care, each departure constitutes a separate and distinct breach of the
7 standard of care.

8 "..."

9 **FIRST CAUSE FOR DISCIPLINE**
10 (Failure To Perform Physical Examination)
 (Bus. & Prof. Codes section 2234, subdivision (b), Gross Negligence)

11 10. Respondent is subject to disciplinary action under section 2234, subdivision (b), in
12 that Respondent failed to perform a physical examination of patient I.G. during several office
13 visits. The circumstances are as follows:

14 11. In or about 2009, patient I.G., a 14-year-old female, was a patient who was treated at
15 the Sierra Health Center ("clinic"), in Modesto, and her Primary Care Physician was H.P., M.D.,
16 but she received direct care on a number of occasions from Respondent, who is a physician
17 assistant. On August 4, 2009, patient I.G. had a positive PPD skin test² (18mm) and was referred
18 to Modesto Advanced Imaging Center for a chest x-ray which was performed on August 6, 2009.
19 The findings of the chest x-ray included the following: "The lung parenchyma appears to be
20 adequately aerated and demonstrates infiltrative process in the left suprahilar region. There also
21 appears to be some mildly increased density over the right paratracheal region. Infiltrate in the
22 left suprahilar region which may represent pneumonia, tuberculosis is not excluded."

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27 ² PPD is the abbreviation for "purified protein derivative" and this skin test determines
28 whether a person has an immune response to the tuberculosis bacteria, which indicates prior
exposure.

1 12. On August 17, 2009, Respondent saw patient I.G. at the clinic and prescribed
2 Isoniazid (INH) therapy with instructions to return for a follow-up appointment in one month.
3 This therapy was intended to last three months. INH therapy can kill the tuberculosis bacteria
4 over time and tends to be a less toxic, less expensive and easier to administer than other
5 alternative treatments.

6 13. On September 22, 2009, patient I.G. returned to the clinic complaining of neck pain
7 for four weeks and was referred to D.S., a nurse practitioner, who ordered a cervical spine x-ray.
8 The mother had stopped the INH therapy thinking her child was cured. On the same day, the x-
9 ray was read by a radiologist who found a deformity wedge at C4 of the patient's cervical spine,
10 which was partially fused at C3 of the patient's cervical spine. The radiologist recommended that
11 an MRI or CT scan be performed on the patient.

12 14. On November 9, 2009, Respondent saw patient I.G. at the clinic for an immunization
13 update. Respondent performed no physical examination of this patient but she ordered laboratory
14 tests and instructed the patient to re-start her INH medication. Though Respondent had the
15 patient's chart she did not address the radiologist's interpretation and recommendations from the
16 September 22, 2009, x-ray. Respondent did not consult with her supervising physician on the
17 care of I.G.

18 15. On March 12, 2010, patient I.G. was again seen by Respondent at the clinic for an
19 immunization update. Respondent performed no physical examination on this patient but
20 instructed the patient to continue taking her INH medication. Though Respondent had the
21 patient's chart she did not address the radiologist's interpretation and recommendations from the
22 September 22, 2009, x-ray. Respondent did not consult with her supervising physician on the care
23 of I.G.

24 16. On May 28, 2010, patient I.G. came to the clinic complaining of bilateral arm pain for
25 two months and was seen by nurse practitioner, L.K. On June 14, 2010, patient I.G. was again
26 seen by L.K. and was experiencing significant weight loss and fatigue. On June 16, 2010, patient
27 had another positive PPD skin test and Respondent ordered another chest x-ray. No active
28 tuberculosis was seen in the lungs from the x-ray ordered on June 16, 2010.

1 17. On July 23, 2010, Respondent again saw patient I.G. at the clinic but did not consult
2 with her supervising physician regarding the care of patient I.G., and did not address the patient's
3 weight loss, arm and prior neck pain nor the radiologists recommendation from September 22,
4 2009. On August 2, 2010, patient I.G. collapsed at school, was rushed to Kaiser Hospital in
5 Stockton, and was diagnosed with a C2-3 subluxation, due to a mass effect from a Pott's tumor.
6 Pott's disease is a presentation of extra-pulmonary tuberculosis in the spinal vertebrae. This
7 patient is now a quadriplegic.

8 18. A patient who has a history of a positive PPD test, who is taking INH medication
9 should be given a physical examination both to determine any medication side effects but also to
10 determine if there are systemic symptoms of tuberculosis in the skin, bones and/or organs.
11 Respondent's failure to perform a physical examination on November 9, 2009, and March 12,
12 2010, constitutes an extreme departure from the standard of care in violation of section 2234,
13 subdivision (b), of the Code.

14 **SECOND CAUSE FOR DISCIPLINE**

15 (Failure To Obtain a Consultation with a Supervising Physician)
(Bus. & Prof. Code section 2234, subdivision (b), Gross Negligence)

16 19. Respondent is subject to disciplinary action under section 2234, subdivision (b), in
17 that Respondent failed to obtain a consultation with her supervising physician. The circumstances
18 are as follows:

19 20. Complainant hereby incorporates paragraphs 11 through 18 of the Accusation as
20 though fully set forth herein.

21 21. On or about December 30, 2014, Respondent was interviewed by an HQTU
22 Investigator and a Medical Board consultant. During that interview Respondent admitted that she
23 had access to patient I.G.'s chart at all visits with the patient and never consulted about this case
24 with her supervising physician. She also admitted that she read the radiologists report from
25 September 22, 2009, on July 23, 2010, and was working on having patient I.G. have an MRI or
26 CT scan when she lost track of the file.

27 22. Respondent failed to consult with her supervising physician on September 22, 2009,
28 after learning that the patient discontinued her medication. On the same visit, after the spinal x-

1 ray revealed abnormalities, with a recommendation by the radiologist for the further tests of an
2 MRI or CT scan, Respondent repeatedly failed to consult with her supervising physician about
3 this recommendation both on September 22, 2009, along with the follow-up visits of November 9,
4 2009, March 12, 2010, and July 23, 2010. Finally, on July 23, 2010, Respondent failed to consult
5 with her supervising physician regarding the patient's weight loss and prior complaint of arm
6 pain. All of these failures collectively and separately constitute an extreme departure from the
7 standard of care in violation of section 2234, subdivision (b), of the Code.

8 **THIRD CAUSE FOR DISCIPLINE**

9 (Failure to accurately review medical record & address other medical issues)
(Bus. & Prof. Code section 2234, subdivision (c), Repeated Negligent Acts)

10 23. Respondent is subject to disciplinary action under section 2234, subdivision (c), in
11 that Respondent engaged in repeated negligent acts for not reviewing medical records and failing
12 to conduct physical examinations. The circumstances are as follows:

13 24. Complainant hereby incorporates paragraphs 11 through 18, and 21 of the Accusation
14 as though fully set forth herein.

15 25. Respondent's failure to perform a physical examination on November 9, 2009, and
16 March 12, 2010, constitutes repeated negligent acts. In addition, Respondent's failure to review
17 medical records, particularly the patient's complaint of neck pain and results of a spinal x-ray on
18 September 22, 2009, before the July 23, 2010, appointment is also a negligent act. All three
19 negligent acts alleged above acts or any two in combination constitute a violation of section 2234,
20 subdivision (c), of the Code.

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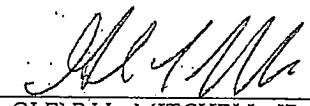
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Physician Assistant Board issue a decision:

1. Revoking or suspending Physician Assistant License Number PA 12831, issued to Sudha Sharma, P.A.;
2. Ordering Sudha Sharma, P.A. to pay the Physician Assistant Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: September 9, 2015


GLENN L. MITCHELL, JR.
Executive Officer
Physician Assistant Board
Department of Consumer Affairs
State of California
Complainant

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32195164.doc

Exhibit B

Accusation No. 950-2016-000814

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 MARA FAUST
Deputy Attorney General
4 State Bar No. 111729
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5358
Facsimile: (916) 327-2247
7 *Attorneys for Complainant*

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9
10 **BEFORE THE**
11 **PHYSICIAN ASSISTANT BOARD**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

14 **SUDHA SHARMA, P.A.**
1300 Buccaneer Court
15 Modesto, CA. 95356

16 Physician Assistant No. PA 12831

17 Respondent.

Case No. 950-2016-000814

OAH No.

A C C U S A T I O N

18
19 Complainant alleges:

20 **PARTIES**

21 1. Maureen L. Forsyth (Complainant) brings this Accusation solely in her official
22 capacity as the Executive Officer of the Physician Assistant Board, Department of Consumer
23 Affairs.

24 2. On or about February 10, 1992, the Physician Assistant Board issued Physician
25 Assistant No. PA 12831 to Sudha Sharma, P.A. (Respondent). The Physician Assistant License
26 was in full force and effect at all times relevant to the charges brought herein and will expire on
27 August 31, 2017, unless renewed.

28 ///

3. On or about May 20, 2016, Physician Assistant License No. PA 12831 was placed on probation for five years with various terms and conditions in Case No. 1E-2013-234601. Previously, in Case No. 1E-2004-160622, Respondent's license was placed on probation for five years with terms and conditions in a Decision and Order effective December 4, 2006, and such probation was extended for an additional two years of probation in a Decision and Order effective December 21, 2011, in Case No. D1-2004-160622.

JURISDICTION

4. This Accusation is brought before the Physician Assistant Board (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 3527 of the Code provides in relevant part that the board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a physician assistant license after a hearing for unprofessional conduct that includes but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board or the medical Board of California.

6. Section 3527(f) of the Code provides that the Medical Board of California may order the licensee to pay the costs of monitoring the probationary conditions imposed on the license.

7. Section 3502 of the Code states:

“(a) Notwithstanding any other provision of law, a physician assistant may perform those medical services as set forth by the regulations adopted under this chapter when the services are rendered under the supervision of a licensed physician and surgeon who is not subject to a disciplinary condition imposed by the Medical Board of California prohibiting that supervision or prohibiting the employment of a physician assistant.

“(b) Notwithstanding any other provision of law, a physician assistant performing medical services under the supervision of a physician and surgeon may assist a doctor of podiatric medicine who is a partner, shareholder, or employee in the same medical group as the supervising

1 physician and surgeon. A physician assistant who assists a doctor of podiatric medicine pursuant
2 to this subdivision shall do so only according to patient specific orders from the supervising
3 physician and surgeon.

4 "The supervising physician and surgeon shall be physically available to the physician
5 assistant for consultation when such assistance is rendered. A physician assistant assisting a
6 doctor of podiatric medicine shall be limited to performing those duties included within the scope
7 of practice of a doctor of podiatric medicine.

8 "(c)

9 (1) A physician assistant and his or her supervising physician and surgeon shall establish
10 written guidelines for the adequate supervision of the physician assistant. This requirement may
11 be satisfied by the supervising physician and surgeon adopting protocols for some or all of the
12 tasks performed by the physician assistant. The protocols adopted pursuant to this subdivision
13 shall comply with the following requirements:

14 "(A) A protocol governing diagnosis and management shall, at a minimum, include
15 the presence or absence of symptoms, signs, and other data necessary to establish a diagnosis or
16 assessment, any appropriate tests or studies to order, drugs to recommend to the patient, and
17 education to be provided to the patient.

18 "(B) A protocol governing procedures shall set forth the information to be provided to
19 the patient, the nature of the consent to be obtained from the patient, the preparation and
20 technique of the procedure, and the follow up care.

21 "(C) Protocols shall be developed by the supervising physician and surgeon or
22 adopted from, or referenced to, texts or other sources.

23 "(D) Protocols shall be signed and dated by the supervising physician and surgeon
24 and the physician assistant.

25 "(2) The supervising physician and surgeon shall review, countersign, and date a sample
26 consisting of, at a minimum, 5 percent of the medical records of patients treated by the physician
27 assistant functioning under the protocols within 30 days of the date of treatment by the physician
28 assistant. The physician and surgeon shall select for review those cases that by diagnosis,

1 problem, treatment, or procedure represent, in his or her judgment, the most significant risk to the
2 patient.

3 “(3) Notwithstanding any other provision of law, the Medical Board of California or board
4 may establish other alternative mechanisms for the adequate supervision of the physician
5 assistant.

6 “(d) No medical services may be performed under this chapter in any of the following
7 areas:

8 “(1) The determination of the refractive states of the human eye, or the fitting or adaptation
9 of lenses or frames for the aid thereof.

10 “(2) The prescribing or directing the use of, or using, any optical device in connection with
11 ocular exercises, visual training, or orthoptics.

12 “(3) The prescribing of contact lenses for, or the fitting or adaptation of contact lenses to,
13 the human eye.

14 “(4) The practice of dentistry or dental hygiene or the work of a dental auxiliary as defined
15 in Chapter 4 (commencing with Section 1600).

16 “(e) This section shall not be construed in a manner that shall preclude the performance of
17 routine visual screening as defined in Section 3501.”

18 8. Section 3502.1 of the Code states:

19 “(a) In addition to the services authorized in the regulations adopted by the Medical Board
20 of California, and except as prohibited by Section 3502, while under the supervision of a licensed
21 physician and surgeon or physicians and surgeons authorized by law to supervise a physician
22 assistant, a physician assistant may administer or provide medication to a patient, or transmit
23 orally, or in writing on a patient's record or in a drug order, an order to a person who may
24 lawfully furnish the medication or medical device pursuant to subdivisions (c) and (d).

25 “(1) A supervising physician and surgeon who delegates authority to issue a drug order to a
26 physician assistant may limit this authority by specifying the manner in which the physician
27 assistant may issue delegated prescriptions.

1 “(2) Each supervising physician and surgeon who delegates the authority to issue a drug
2 order to a physician assistant shall first prepare and adopt, or adopt, a written, practice specific,
3 formulary and protocols that specify all criteria for the use of a particular drug or device, and any
4 contraindications for the selection. Protocols for Schedule II controlled substances shall address
5 the diagnosis of illness, injury, or condition for which the Schedule II controlled substance is
6 being administered, provided or issued. The drugs listed in the protocols shall constitute the
7 formulary and shall include only drugs that are appropriate for use in the type of practice engaged
8 in by the supervising physician and surgeon. When issuing a drug order, the physician assistant is
9 acting on behalf of and as an agent for a supervising physician and surgeon.

10 “(b) “Drug order” for purposes of this section, means an order for medication which is
11 dispensed to or for a patient, issued and signed by a physician assistant acting as an individual
12 practitioner within the meaning of Section 1306.02 of Title 21 of the Code of Federal
13 Regulations. Notwithstanding any other provision of law, (1) a drug order issued pursuant to this
14 section shall be treated in the same manner as a prescription or order of the supervising physician,
15 (2) all references to ‘prescription’ in this code and the Health and Safety Code shall include drug
16 orders issued by physician assistants pursuant to authority granted by their supervising
17 physicians, and (3) the signature of a physician assistant on a drug order shall be deemed to be the
18 signature of a prescriber for purposes of this code and the Health and Safety Code.

19 “(c) A drug order for any patient cared for by the physician assistant that is issued by the
20 physician assistant shall either be based on the protocols described in subdivision (a) or shall be
21 approved by the supervising physician before it is filled or carried out.

22 “(1) A physician assistant shall not administer or provide a drug or issue a drug order for a
23 drug other than for a drug listed in the formulary without advance approval from a supervising
24 physician and surgeon for the particular patient. At the direction and under the supervision of a
25 physician and surgeon, a physician assistant may hand to a patient of the supervising physician
26 and surgeon a properly labeled prescription drug prepackaged by a physician and surgeon,
27 manufacturer as defined in the Pharmacy Law, or a pharmacist.

28 “(2) A physician assistant shall not administer, provide or issue a drug order for Schedule II

1 through Schedule V controlled substances without advance approval by a supervising physician
2 and surgeon for the particular patient unless the physician assistant has completed an education
3 course that covers controlled substances and that meets standards, including pharmacological
4 content, approved by the board. The education course shall be provided either by an accredited
5 continuing education provider or by an approved physician assistant training program. If the
6 physician assistant will administer, provide, or issue a drug order for Schedule II controlled
7 substances, the course shall contain a minimum of three hours exclusively on Schedule II
8 controlled substances. Completion of the requirements set forth in this paragraph shall be verified
9 and documented in the manner established by the board prior to the physician assistant's use of a
10 registration number issued by the United States Drug Enforcement Administration to the
11 physician assistant to administer, provide, or issue a drug order to a patient for a controlled
12 substance without advance approval by a supervising physician and surgeon for that particular
13 patient.

14 “(3) Any drug order issued by a physician assistant shall be subject to a reasonable
15 quantitative limitation consistent with customary medical practice in the supervising physician
16 and surgeon's practice.

17 “(d) A written drug order issued pursuant to subdivision (a), except a written drug order in a
18 patient's medical record in a health facility or medical practice, shall contain the printed name,
19 address, and phone number of the supervising physician and surgeon, the printed or stamped
20 name and license number of the physician assistant, and the signature of the physician assistant.
21 Further, a written drug order for a controlled substance, except a written drug order in a patient's
22 medical record in a health facility or a medical practice, shall include the federal controlled
23 substances registration number of the physician assistant and shall otherwise comply with the
24 provisions of Section 11162.1 of the Health and Safety Code. Except as otherwise required for
25 written drug orders for controlled substances under Section 11162.1 of the Health and Safety
26 Code, the requirements of this subdivision may be met through stamping or otherwise imprinting
27 on the supervising physician and surgeon's prescription blank to show the name, license number,
28 and if applicable, the federal controlled substances registration number of the physician assistant,

1 and shall be signed by the physician assistant. When using a drug order, the physician assistant is
2 acting on behalf of and as the agent of a supervising physician and surgeon.

3 “(e)(1) The medical record of any patient cared for by a physician assistant for whom the
4 physician assistant's Schedule II drug order has been issued or carried out shall be reviewed and
5 countersigned and dated by a supervising physician and surgeon within seven days.

6 “(f) All physician assistants who are authorized by their supervising physicians to issue
7 drug orders for controlled substances shall register with the United States Drug Enforcement
8 Administration (DEA).

9 “(g) The board shall consult with the Medical Board of California and report during its
10 sunset review required by Article 7.5 (commencing with Section 9147.7) of Chapter 1.5 of Part 1
11 of Division 2 of Title 2 of the Government Code the impacts of exempting Schedule III and
12 Schedule IV drug orders from the requirement for a physician and surgeon to review and
13 countersign the affected medical record of a patient.”

14 9. Section 2234 of the Code states, in pertinent part:

15 “The board shall take action against any licensee who is charged with unprofessional
16 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
17 limited to, the following:

18 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
19 violation of, or conspiring to violate any provision of this chapter.

20 “(b) Gross negligence.

21 “(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
22 omissions. An initial negligent act or omission followed by a separate and distinct departure from
23 the applicable standard of care shall constitute repeated negligent acts.

24 “(1) An initial negligent diagnosis followed by an act or omission medically
25 appropriate for that negligent diagnosis of the patient shall constitute a single negligent
26 act.

27 “(2) When the standard of care requires a change in the diagnosis, act, or omission
28 that constitutes the negligent act described in paragraph (1), including, but not limited to, a

reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

"..."

10. California Code of Regulations, title 16, section 1399.540 states:

(a) A physician assistant may only provide those medical services which he or she is competent to perform and which are consistent with the physician assistant's education, training, and experience, and which are delegated in writing by a supervising physician who is responsible for the patients cared for by that physician assistant.

(b) The writing which delegates the medical services shall be known as a delegation of services agreement. A delegation of services agreement shall be signed and dated by the physician assistant and each supervising physician. A delegation of services agreement may be signed by more than one supervising physician only if the same medical services have been delegated by each supervising physician. A physician assistant may provide medical services pursuant to more than one delegation of services agreement.

(c) The committee or division or their representative may require proof or demonstration of competence from any physician assistant for any tasks, procedures or management he or she is performing.

(d) A physician assistant shall consult with a physician regarding any task, procedure or diagnostic problem which the physician assistant determines exceeds his or her level of competence or shall refer such cases to a physician.

11. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

12. Section 2266 of the Code states that the failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct.

DRUGS

13. Xanax is the brand name for Alprazolam, a Schedule IV controlled substance pursuant to Health and Safety Code §11057(d), and a dangerous drug pursuant to Business and Professions Code §4022. It is an anti-anxiety medication in the benzodiazepine family.

14. Morphine Sulfate is a generic name for the drug MS contin or Kadian. Morphine is an opioid analgesic drug. It is the main psychoactive chemical in opium. Like other opioids, such as oxycodone, hydromorphone, and heroin, morphine acts directly on the central nervous system (CNS) to relieve pain. Morphine is a Schedule II controlled substance pursuant to Code of Federal Regulations Title 21 section 1308.12. Morphine is a Schedule II controlled substance pursuant to Health and Safety Code 11055, subdivision (b), and a dangerous drug pursuant to Business and Professions Code section 4022.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence-Improper Delegation of Services Agreement-Patients D.W. & R.J.)

15. Respondent has subjected her license to disciplinary action under sections 3527, 3502, 3502.1, 2234, subdivision (b), and Title 16 CCR sections 1399.540 for unprofessional conduct in that she was grossly negligent. The circumstances are as follows:

16. On or about December 25, 2015 Dr. D. W. and her husband R. J. were involved in a motor vehicle accident in Tracy, California. Dr. D.W. was the driver who caused the vehicle to cross over the center line and hit a pickup truck head on. As a result of the accident Dr. D.W. sustained a broken femur which required surgery to fix. Dr. D.W. was released from the hospital on pain medication from her orthopedic surgeon. On or about December 31, 2015, Dr. D.W., who worked with Respondent at Sierra Health Center, in Modesto, requested morphine from Respondent, as she was not getting relief from her other pain medication. Respondent wrote a prescription for Dr. D.W. for MS Contin #90, (Morphine Sulfate).

17. On or about January 1, 2016, patient R.J. was found dead in a trailer that he shared with his wife Dr. D.W. The coroner's report found the cause of death to be mixed drug intoxication, involving ethanol, Xanax and morphine. Respondent had treated patient R.J. from August 18, 2015 through November 20, 2015 where she had prescribed Xanax 1 mg three times a

1 day for anxiety and panic attacks. A CURES report shows patient continued to fill and refill
2 Respondent's prescriptions for Xanax 1 mg from August 20, 2015 through December 18, 2015
3 for a total of 450 tablets. In addition, Dr. D.W. also prescribed her husband Xanax 2 mg twice a
4 day from July 20 through 27, 2015 for a total of 100 tablets. In the coroner's report, Dr. D.W.
5 mentioned that her own prescription bottles for Xanax were missing at the time of her husband's
6 death.

7 18. The delegation of services agreement that Respondent was working under between
8 herself and Dr. R. at Sierra Health Center had no list of protocols attached to the agreement and
9 there is no authorization for Respondent to prescribe particular controlled substances. In addition,
10 there is no documentation that Respondent successfully completed an approved controlled
11 substance prescribing course. Respondent's action of prescribing controlled substances to patient
12 R.J. and Dr. D.W. without a proper delegation of services agreement and proof of taking the
13 controlled substances course collectively constitutes an extreme departure from the standard of
14 care in violation of sections 3527, 3502, 3502.1, 2234, subdivision (b) of the Code, and Title 16
15 CCR sections 1399.540.

16 **SECOND CAUSE FOR DISCIPLINE**
17 **(Gross Negligence-Inadequate Medical Record Documentation-Patient R.J. & D.W.)**

18 19. Respondent has subjected her license to disciplinary action under sections 3527,
19 3502, 2234, subdivision (b), and for unprofessional conduct in that she was grossly negligent. The
20 circumstances are as follows:

21 20. Complainant re-alleges paragraphs 16 through 18 above and incorporates them by
22 reference herein as though fully set forth.

23 21. The medical chart note entered by Respondent for patient R.J.'s initial visit, on
24 August 18, 2015, has barely legible handwriting. There is inadequate documentation of patient
25 R.J.'s past medical history for his history of anxiety, panic attacks, bleeding ulcer, hypertension
26 and asthma. The physical examination is inadequate as only lung and cardiac are checked as
27 normal. A depression screen was noted but no explanation given for why it was necessary. There
28 is no explanation as to why sublingual nitroglycerine was given. The plan includes a chemistry

1 panel, PSA EKG, PFT, and some illegible comment about "Psych" but there is no explanation as
2 to why Respondent ordered these tests.

3 22. For the November 20, 2015, visit for patient R.J., there is a chart entry where
4 Respondent again writes with barely legible handwriting with minimal history. There is no
5 explanation as to why the patient needed a refill for the nitroglycerine tabs. There is no
6 explanation as to why the patient's sleep was disturbed or why the physical exam again just has
7 lung and cardiac checked as normal.

8 23. On December 31, 2015 Respondent saw Dr. D.W. and made a chart note. There is
9 no documentation of the patient's surgery, other than a reference in the assessment of right femur
10 surgery. There is no documentation of the specifics of the auto accident. There is no
11 documentation of what type of pain the patient was suffering or where the pain was located. It
12 was noted by Respondent that the pain medication given by the orthopedist was not working. In
13 addition, there is no record of whether the orthopedist was contacted regarding this issue. There
14 is no documented physical examination.

15 24. Respondent's inadequate documentation as to both of her office visits with patient
16 R.J. and her one office visit with Dr. D.W. collectively constitutes an extreme departure from the
17 standard of care in violation of sections 3527, 3502, 2234, subdivision (b) of the Code.

18 **THIRD CAUSE FOR DISCIPLINE**
19 **(Gross Negligence-Prescribing Morphine Without Adequate Physical Exam-Patient D.W.)**

20 25. Respondent has subjected her license to disciplinary action under sections 3527,
21 3502, 3502.1, 2234, subdivision (b), and Title 16 CCR sections 1399.540 for unprofessional
22 conduct in that she was grossly negligent. The circumstances are as follows:

23 26. Complainant re-alleges paragraphs 16 through 18 and 23 above and incorporates
24 them by reference herein as though fully set forth.

25 27. Respondent prescribed for Dr. D.W. MS Contin #90, (Morphine), a schedule II
26 controlled substance without a physical examination which is an extreme departure from the
27 standard of care in violation of sections 3527, 3502, 3502.1, 2234, subdivision (b) of the Code,
28 and Title 16 CCR sections 1399.540.

FOURTH CAUSE FOR DISCIPLINE

(Gross Negligence-Prescribing Controlled Substances to Co-Worker-Patients D.W.)

28. Respondent has subjected her license to disciplinary action under sections 3527, 3502, 3502.1, 2234, subdivision (b), and Title 16 CCR sections 1399.540 for unprofessional conduct in that she was grossly negligent. The circumstances are as follows:

29. Complainant re-alleges paragraphs 16 through 18 above and incorporates them by reference herein as though fully set forth.

30. Respondent prescribed controlled substances, Morphine to her co-worker in the clinic, Dr. D.W., rather than have the patient follow up with her own surgeon. Respondent also allowed patient, Dr. D.W., to manipulate her into writing a prescription for a specific narcotic named by the patient. This conduct by Respondent of prescribing Morphine to her co-worker Dr. D.W. constitutes an extreme departure from the standard of care in violation of sections 3527, 3502, 3502.1, 2234, subdivision (b) of the Code, and Title 16 CCR sections 1399.540.

DISCIPLINARY CONSIDERATIONS

31. To determine the degree of discipline, if any, to be imposed on Respondent Sudha Sharma, P.A., Complainant alleges that on or about May 20, 2016, in a prior disciplinary action entitled, "In the Matter of the Amended Accusation Against Sudha Sharma, P.A." before the Physician Assistant Board of California, in Case Number 1E-2013-234601, Respondent was placed on five years of probation with various terms and conditions. That decision is now final and is incorporated by reference as if fully set forth herein.

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1 PRAYER


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Physician Assistant Board issue a decision:

4 1. Revoking or suspending Physician Assistant Number PA 12831, issued to
5 Respondent Sudha Sharma, P.A.;

6 2. Ordering Respondent Sudha Sharma, P.A. to pay the Physician Assistant Board the
7 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
8 Professions Code section 125.3; if placed on probation, the payment of probation monitoring
9 costs pursuant to section 3527(f); and,

10 3. Taking such other and further action as deemed necessary and proper.
11

12
13 DATED: July 20, 2017


14 MAUREEN L. FORSYTH
15 Executive Officer
16 Physician Assistant Board
17 Department of Consumer Affairs
18 State of California
19 Complainant

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